

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

AUSTIN SUMMITT,

Plaintiff,

v.

CORPORAL LONGMIRE and

CORPORAL DYCZARICK,

Defendants.

No.: 3:20-CV-473-CLC-HBG

JUDGMENT ORDER

In accordance with the Memorandum entered today, Plaintiff's motion to dismiss this pro se prisoner's civil rights action for violation of 42 U.S.C. § 1983 [Doc. 51] is **GRANTED**, and this action is **DISMISSED WITHOUT PREJUDICE**. Defendant Dyczarick's motion for summary judgment [Doc. 27] is **DENIED AS MOOT**.

Further, the Court **CERTIFIED** in the Memorandum that any appeal from this order would not be taken in good faith, so should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

SO ORDERED.

ENTER:

/s/ CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
s/ LeAnna R. Wilson
CLERK OF COURT